

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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MOUSTAPHA MAGASSOUBA,

Plaintiff,

-against-

23 **CIVIL** 3686 (KMK)

JUDGMENT

THE CITY OF NEW YORK, et al.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated March 3, 2025, the Defendants' Motions are granted in full. Plaintiff's claims are dismissed with prejudice, as Plaintiff has already had the opportunity to file two complaints. See *Denny v. Barber*, 576 F.2d 465, 471 (2d Cir. 1978) (holding that the plaintiff was not entitled to "a third go-around"); see also *Bryant v. Capra*, No. 18-CV-10198, 2021 WL 323263, at *5 (S.D.N.Y. Feb. 1, 2021) (dismissing the plaintiff's claims with prejudice where it was "the second time adjudicating his claims, and [the p]laintiff ha[d] not fixed the problems identified by the Court in" a prior opinion); *Melvin v. County of Westchester*, No. 14-CV-2995, 2016 WL 1254394, at *24 n.19 (S.D.N.Y. Mar. 29, 2016) (granting a motion to dismiss with prejudice where "[the p]laintiff ha[d] already had two bites at the apple, and they ha[d] proven fruitless" (alteration adopted) (citation omitted)). Accordingly, the case is closed.

Dated: New York, New York

March 4, 2025

TAMMI M. HELLWIG
Clerk of Court

BY:

A handwritten signature in black ink, consisting of several loops and a final horizontal stroke, positioned above a horizontal line.

Deputy Clerk